

Applicant : Kenneth L. Davis  
Serial No. : 10/005,482  
Filed : November 7, 2001  
Page : 12 of 14

Attorney's Docket No.: 15786-034001

### REMARKS

Claims 1-5, 8, 9, 11-12, 14, 20-24, 27-28, 30-31, 33, 39-43, 46-47, 49-50, 52, and 58-72 were pending. Claims 11-12, 14, 30-31, 33, 49-50, 52, and 64-72 were withdrawn in response to a Restriction Requirement. Claims 1, 8, 20, 27, 39, and 46 are currently amended. Claims 73-90 are added. Claims 3, 11-12, 14, 22, 30-31, 33, 41, 49-50, 52, and 64-72 are cancelled. Reconsideration of the Action mailed April 8, 2005, is requested in light of the foregoing amendments and the following remarks.

#### **I. Interview Summary**

The Applicant wishes to thank the Examiner for the courtesy of an interview conducted March 31, 2005. In the interview, in which the Applicant's representative Brenda Leeds Binder and Examiner Hartman participated, the Examiner disclosed a Restriction Requirement under 35 U.S.C. § 121. The Applicant's representative elected Group I including claims 1-5, 8-9, 20-24, 27-28, 39-43, 46-47, and 58-63.

#### **II. Allowable Subject Matter**

The Examiner objected to claims 3-4, 8, 22-23, 27, 41-42, and 46 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 3 has been cancelled. Claim 1 has been amended to include the allowable subject matter of claim 3. Claim 4 depends from claim 1, which is now in condition for allowance in view of the incorporation of the subject matter from claim 3. Claim 8 has been amended to provide an independent claim including subject matter from base claim 1. Therefore, claim 8 is also in condition for allowance.

Claim 22 has been cancelled. Claim 20 has been amended to include the allowable subject matter of claim 22. Claim 23 depends from claim 20, which is now in condition for allowance in view of the incorporation of the subject matter from claim 22. Claim 27 has been

Applicant : Kenneth L. Davis  
Serial No. : 10/005,482  
Filed : November 7, 2001  
Page : 13 of 14

Attorney's Docket No.: 15786-034001

amended to provide an independent claim including subject matter from base claim 20. Therefore, claim 27 is also in condition for allowance.

Claim 41 has been cancelled. Claim 39 has been amended to include the allowable subject matter of claim 41. Claim 42 depends from claim 39, which is now in condition for allowance in view of the incorporation of the subject matter from claim 41. Claim 46 has been amended to provide an independent claim including subject matter from base claim 39. Therefore, claim 46 is also in condition for allowance.

In view of the amendments to the claims and the remarks below, the Applicant respectfully submits that claims 1-2, 4-5, 8-9, 20-21, 23-24, 27-28, 39-40, 42-43, 46-47, and 58-63 are in condition for allowance.

### III. The § 102 Rejections

Claim 1 stands rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,357,439 to Matsuzaki et al. ("Matsuzaki"). The Applicant has amended claim 1 to include the subject matter of claim 3, which the Examiner stated includes allowable subject matter. Therefore, the Applicant respectfully submits that claim 1, as well as claims 2, 4-5, 9, and 58-59 which depend from claim 1, are in condition for allowance.

Claim 20 stands rejected under 35 U.S.C. § 102(b) as anticipated by Matsuzaki. The Applicant has amended claim 20 to include the subject matter of claim 22, which the Examiner stated includes allowable subject matter. Therefore, the Applicant respectfully submits that claim 20, as well as claims 21, 23-24, 28, and 60-61, which depend from claim 20, are in condition for allowance.

Claim 39 stands rejected under 35 U.S.C. § 102(b) as anticipated by Matsuzaki. The Applicant has amended claim 39 to include the subject matter of claim 41, which the Examiner stated includes allowable subject matter. Therefore, the Applicant respectfully submits that claim 39, as well as claims 40, 42-43, 47, and 62-63, which depend from claim 39, are in condition for allowance.

Applicant : Kenneth L. Davis  
Serial No. : 10/005,482  
Filed : November 7, 2001  
Page : 14 of 14

Attorney's Docket No.: 15786-034001

#### IV. New Claims

Claims 73-90 have been added. Claims 73-78 depend from independent claim 8 and are allowable for at least the same reasons as claim 8. Claims 79-84 depend from independent claim 27 and are allowable for at least the same reasons as claim 27. Claims 85-90 depend from independent claim 46 and are allowable for at least the same reasons as claim 46.

The Applicant respectfully requests that all pending claims be allowed. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 8 July, 2005

Brian J. Gustafson  
Reg. No. 52,978

Fish & Richardson P.C.  
500 Arguello Street, Suite 500  
Redwood City, California 94063  
Telephone: (650) 839-5070  
Facsimile: (650) 839-5071

50273897.doc